



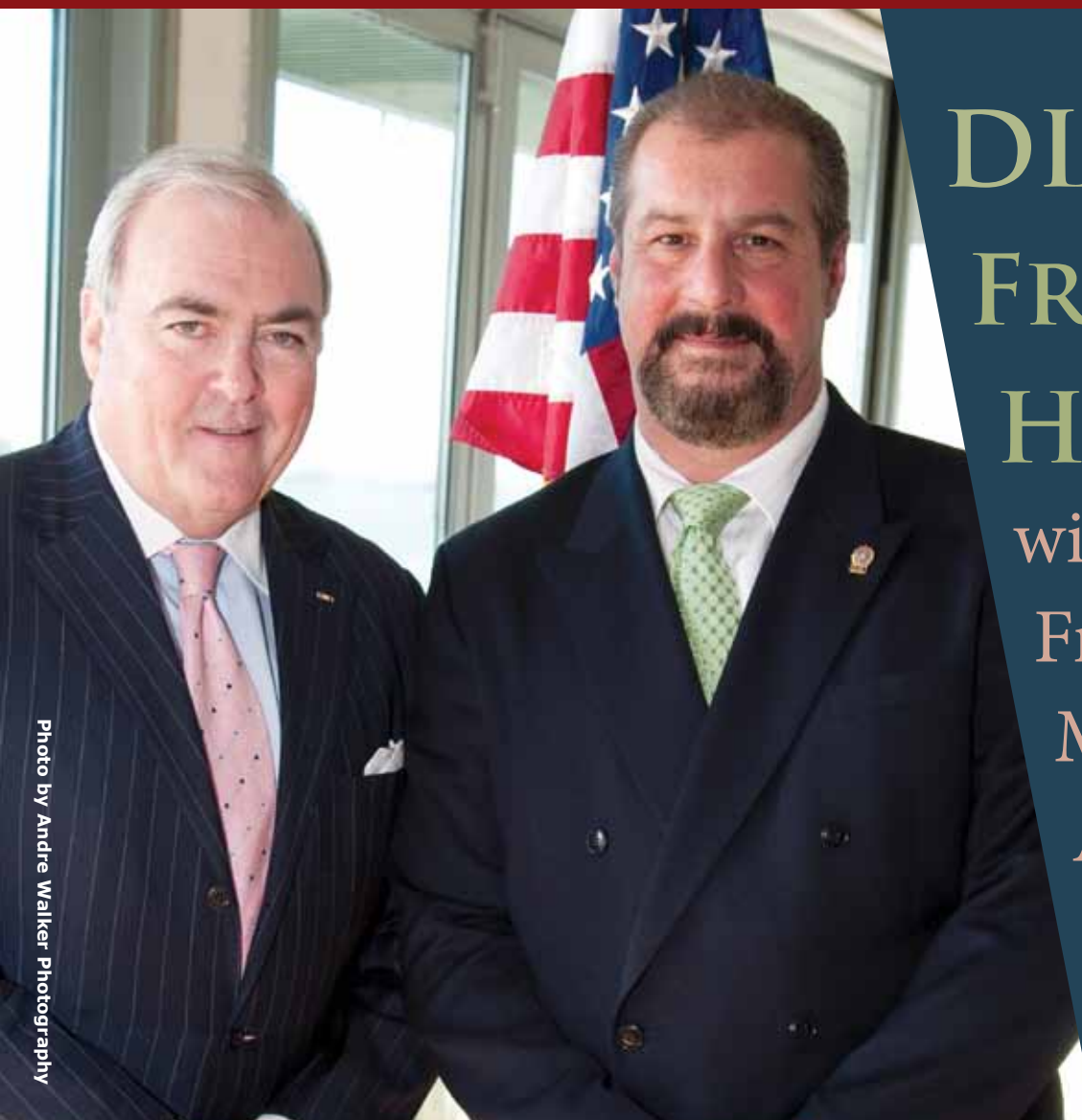
DIA



REPORT

DETECTIVE INVESTIGATORS' ASSOCIATION
of the District Attorneys' Offices, City of New York

Winter 2011



DIA VP
FRANZOLIN
HONORED
with 2011
Fred Ghussin
Memorial
Award

Story and photos on pages 3, 12-15

Visit www.nycdia.com for the most up-to-date information

PRESIDENT'S MESSAGE

JOHN FLEMING



On behalf of the entire Executive Board and Board of Trustees, I would like to wish you and your families a happy New Year. I hope you were able to enjoy the holidays with family and friends.

As we begin a new year, I hope the Board has met your expectations thus far. We have had some accomplishments, and also some disappointments that we are hoping to resolve early in the New Year.

There is a famous quote that says, "Life can only be understood backwards; but it must be lived forwards."

At the DIA, we strive to learn from where we have been and work toward higher ground going forward. It will not be easy. We still find ourselves mired in a never-ending battle just to see who is responsible for negotiating our contract.

This has proven to be a frustrating problem, one that has denied you your well-earned raise. For us to be successful in this endeavor, we need a partner. The union has done all it possibly can to develop an atmosphere conducive to bargaining. It seems no one on the other side has the vision and dedication to get this done.

New York is the most polarized city by income in the country. The top 1 percent of earners account for nearly 45 percent of the city's total income. The hourly median wage in New York City has decreased nearly 9 percent between 1990 and 2007; at the same time average annual salary and bonuses on Wall Street doubled.

We aren't asking for anything more than we are entitled to. Our DIs work hard; we get the job done. It's only fair that we have our contract settled and move forward.

Next year we will continue to raise the profile of the DIA and our situation in the hopes of putting pressure on the government to resolve our contract. To help us with that goal, we have retained a public relations consultant, Hank Sheinkopf, one of the prominent political strategists in New York City. Mr. Sheinkopf has worked with a number of different public sector unions and has been successful in bringing officials to the bargaining table. He and his firm plan to generate attention by getting stories to the press and using online media. I am confident that this new tool will be an essential element to getting the job done.

We also will work with our friends in labor. The DIA has never been this active in the labor movement before. Today we are actively involved with the Municipal Labor Committee (MLC), as well as the New York State Public Employees Conference (PEC), and the New York State Association of PBAs. With these groups, we will be part of an effort to fight our enemies on Wall Street who have decided to cast the working man as the bad guy and unions as corrupt and evil.

The coming year will not be an easy one. But then again, not much has changed. Last year was not much different, and the year before the same. Politicians across the board need to blame someone for what's going on across the country, and organized labor remains the target.

Continued on page 5



DETECTIVE INVESTIGATORS' ASSOCIATION

DISTRICT ATTORNEYS' OFFICES – CITY OF NEW YORK, INC.

PO Box 130405
New York, NY 10013

646.533.1341
877-DIA-2747

www.nycdia.com

JOHN M. FLEMING
President

ANTHONY P. FRANZOLIN
Vice President

JACK FRECK
Secretary-Treasurer

Board of Trustees

DORIS AMADOR
Citywide Supervising Trustee

RON HICKMAN
Queens County

JUAN CROSAS-MEDINA
Bronx County

THOMAS ARTINO
New York County

JIM DIVER
Kings County

JUAN PARRA
Special Narcotics Prosecutor

RICHARD ABBATE
Richmond County

Delegate

NICHOLAS P. VESSIO
Retired Members

MICHAEL NIED
Retired Members, Alternate

THE DIA REPORT is published by the Detective Investigators' Association of the District Attorneys' Offices, City of New York. Please send press releases, news, or photographs to the DIA, PO Box 130405 New York, NY 10013. ©2010 Detective Investigators' Association. All rights reserved.

NEWSLETTER DESIGN/PRODUCTION
RWD Group
(845) 364-0222 • info@rwdgroup.com

DIA VP Anthony Franzolin

Honored with Ghussin Memorial Award

Supervising Detective Investigator and DIA Vice President Anthony Franzolin was the 2011 recipient of the Fred Ghussin Memorial Award, presented each year to the Detective whose work on and off the job exemplifies the highest level of dedication and commitment to the community. The award is in memory of Detective Ghussin who died in the line of duty as a result of illnesses received during his work in and around Ground Zero.

Franzolin, Supervising DI from Kings County District Attorney's Office, began his career with the Brooklyn District Attorneys Office in October 1986. After learning the ropes in the Supreme Court division, he was transferred to the Homicide Unit, where he earned many commendations, which led to his being assigned to the newly formed Special Investigations Unit (SIU).

It was in SIU where his investigative skills began to shine. While there, Franzolin became known as a premier undercover, excelling in the investigation of traditional organized crime, narcotics trafficking, development of informants and the training of new undercovers.

There are two long-term undercover assignments that epitomize the dedication and sacrifice he routinely made. Operation "Tip Toe" was a one-year undercover assignment where Franzolin posed as an organized crime associate. Through his work, he identified 13 members of the Gambino Crime family who were arrested and convicted on numerous charges. What made this assignment even more dangerous was that his undercover assignment occurred during the "Colombo Wars," a time of great violence for all Brooklyn organized crime families.

His next undercover assignment was "Operation Drugstore." In this case, Franzolin's hard work resulted in the arrest of 11 narcotics traffickers. During his undercover assignment, Detective Franzolin sustained a serious neck injury, but his determination and discipline allowed him to work his way back to full-duty status. Upon his return, he was promoted to Supervising Detective Investigator and he was assigned to the Gang Bureau.

In 2001, Franzolin was elected Vice President of the DIA. The determination he displayed as an undercover officer showed itself as he played a major role in reshaping the legislative agenda for the DIA. Whether it was in Albany or in Washington D.C., Vice President Franzolin was a forceful voice for the rights of his fellow Detectives.

On September 11, 2001, Franzolin, along with members of his Unit, responded to the World Trade Center attacks. He spent the next six days participating in the rescue and recovery effort at Ground Zero, and was later assigned to the Staten Island Landfill.

In 2008, he was assigned to the elite El Dorado Task Force, where he supervised a team of law enforcement personnel from several agencies in identifying and seizing the assets of South American drug dealers.

In 2010, Franzolin was appointed as the first Health & Welfare Officer for the DIA. In this position, he has helped counsel members sick from their work at Ground Zero. He has played a leading role in developing programs to help DIA members who are injured or become ill on the job.

The DIA recognizes Anthony Franzolin for his commitment and outstanding sacrifices to the membership and to the cause of justice.

9.11

MONITORING & TREATMENT

Health Corner

WTC MEDICAL MONITORING & TREATMENT PROGRAM
NOW PART OF WTC HEALTH PROGRAM

Effective July 1, 2011, the WTC Medical Monitoring and Treatment Program became part of the newly created WTC Health Program administered by the CDC and the National Institute for Occupational Safety and Health (NIOSH). To track any new information or changes as a result of the new program, or to enroll for the very first time, visit the NIOSH website at: www.cdc.gov/niosh/topics/wtc. NIOSH can be contacted at WTC_HP_Care@CSC.com or by calling 888-WTC-HP4U (888-982-4748).

For information regarding the September 11th Victim Compensation Fund (VCF), contact the U.S. Department of Justice at: www.vcf.gov/faq.html or call 202-616-7900.

The expert staff you have come to trust are available to serve you under the new WTC Health Program.

What is the WTC Health Program?

The WTC Health Program offers a variety of services related to the health of 9/11 responders, including:

1. Medical Monitoring

Yearly medical monitoring examinations. Free and confidential, these thorough exams are designed to track how your physical health and mental health have been affected by your 9/11-related work.

Disease tracking. During the exams, responders have a chance to report serious diseases such as lung disease and cancer. Between medical exams, we also ask responders to let us know if they are diagnosed with any serious medical

problems. This allows us to keep a complete, up-to-date record of responders' health. It lets us see any patterns of illness that are emerging.

Sharing what we learn. We identify and track physical and mental health problems that are related to working or volunteering after the WTC disaster. This information is shared with responders, health care providers, and the general public—but we only report on responders as a group. So your personal information is safe.

2. Medical Treatment and Benefits Assistance

Free and confidential medical and mental health treatment for WTC-covered conditions. Free treatment is available to 9/11 responders who suffer from WTC-covered illnesses, including both medical or physical conditions and mental health conditions. Doctors' appointments, diagnostic tests, medication, and hospitalization, if needed, are all covered at no cost to you.

Whether you participate in just the Monitoring or both Monitoring and Treatment portions of this program, you can also access benefits counseling. Social workers and benefits counselors will help you file WTC-related Workers' Compensation claims (if applicable) and find other assistance or provide assistance referrals, as you may need.

How can I register and/or get a monitoring or treatment appointment?

Call the program hot line at 1-888-982-4748 for more information or enrollment.

Existing patients should call the World Trade Center Health Program Clinical Centers of Excellence at any of the locations listed below:

MANHATTAN

Mount Sinai School of Medicine

1468 Madison Avenue, 3rd Floor

New York, NY 10029

Telephone: (212) 241-1554

(Exams also conducted in Spanish and Polish)

New York University, Bellevue Hospital Center

462 First Avenue at 27th Street

New York, NY 10016

Telephone: (212) 562-4572

(Exams also conducted in Spanish)

QUEENS

Long Island Jewish Medical Center

163-03 Horace Harding Expressway, 3rd Floor

Flushing, NY 11365

Telephone: (718) 670-4174

(Exams also conducted in Spanish)

BROOKLYN

State University of New York,

Stony Brook/Downstate

760 Parkside Avenue

Brooklyn, NY 11226

Telephone: 631-855-1200

STATEN ISLAND

Richmond University Medical Center

690 Castleton Ave, 2nd Floor

Staten Island, NY 11801

Telephone: 718-390-1300

LONG ISLAND, SUFFOLK COUNTY

State University of New York, Stony Brook

1345 Motor Parkway, 1st Floor

Islandia, NY 11749

Telephone: (631) 855-1200

LONG ISLAND, NASSAU COUNTY

State University of New York,

Stony Brook

1300 Franklin Avenue, Suite 4UL-A

Garden City, NY 11530

Telephone: (631) 855-1200

NEW JERSEY

University of Medicine and Dentistry of New Jersey

170 Frelinghuysen Road

Piscataway, NJ 08854

Telephone: (732) 445-0123 Ext. 600

DIA EXECUTIVE BOARD UNANIMOUSLY RE-ELECTED



BY: Jack Freck
Secretary/Treasurer

On October 26, 2011 at 1830 hours the Detective Investigators' Association conducted nominations for all Executive Board positions at a scheduled General membership meeting.

The meeting was conducted on the 15th floor Grand Jury Room at 100 Centre Street, New York. Nominations were received from the floor and seconded for each sitting member of the Executive Board and Board of Trustees.

No other nominations were received from the floor for any other member of the DIA. Nominations were certified by the entire Executive Board and Board of Trustees at our Executive Session on December 14th.

According to DIA records, this is the first time in our history that the entire Executive Board was unanimously retained by membership. On behalf of the President, and your entire Executive Board, I want to thank you for your support. The next term begins January 1, 2012.

PRESIDENT'S MESSAGE

JOHN FLEMING

Continued from page 3

In closing, I want to thank each member for your vote of confidence as I begin my fourth term as President. You have made a loud statement by unanimously voting the entire Board back into office. Every member of the Board strives to put forth their best effort to ensure you are well represented.

We want your suggestions, input and feedback. We want you to contact us. You elected us to represent you and the best way for us to do that is by working with you as a team.

United we will make 2012 a great year.

Health Corner

DIA OFFERS

New Mobile Cardiovascular Screening Service



In our continuing effort to track the latest innovative technology and provide truly comprehensive health screening programs for our members, the DIA is proud to share with you news of our partnership with **Heartscan Services**; a non-invasive, **mobile** cardiovascular screening company. The DIA and the founder of **Heartscan Services**, Marilyn Martinucci, have been working together to bring you this new cardiovascular screening program at a discounted price.

Statistics show that heart disease is the #1 killer and stroke is the #3 killer of people in the United States. Every 60 seconds someone in the U.S. dies of a heart attack and every 40 seconds someone has a stroke. These diseases are preventable if detected and treated early. Most people are symptom free and therefore most insurance companies will not cover the tests that identify their risk.

Heartscan Services identifies early risk factors of Heart Disease, Stroke and PAD (peripheral arterial disease and diabetes). **Heartscan Services** is mobile and can perform screenings on site, or in locations close by member work places making it convenient for all to take advantage of this program. For our retirees, designated screening locations throughout the New York Metropolitan area will be made available by **Heartscan Services**. Retirees can contact them directly to inquire about various locations.

We have negotiated the following discounted prices for all DIA members and their families:

CARDIOVASCULAR SCREENING - **UNION PRICE - \$199** (normally \$300).

In addition, **Heartscan Services** has partnered with Maimonides Medical Center to bring an even deeper discount to DIA members who reside in Brooklyn or Staten Island.

THE FOLLOWING PROGRAMS ARE AVAILABLE TO BROOKLYN AND STATEN ISLAND RESIDENTS: **In order to take advantage of this program you must go to designated Brooklyn and Staten Island locations.**

Please Note: The Brooklyn and Staten Island residency requirement is imposed by Maimonides Medical Center, not the DIA, as they provide all funding for this area discount.

- If you are age 50 or older and are a resident of Brooklyn or Staten Island, the cardiovascular screening will be free if you go to the designated location.
- If you are under the age of 50 and are a resident of Brooklyn or Staten Island, the cardiovascular screening will be \$50 if you go to the designated location.

ABOUT THE SCREENING:

The three-step cardiovascular screening is a simple, painless, non-invasive, ultrasound package that can evaluate your risk for Cardiovascular Disease, Stroke and Peripheral Arterial Disease.

ECHOCARDIOGRAM - looks at size, shape and movement of the heart.

CAROTID ARTERY ULTRASOUND - can identify plaque in the carotid arteries which can lead to stroke.

ABI INDEX - looks for peripheral arterial disease and early diabetes.

Heartscan Services is HIPAA compliant and all results are **strictly confidential**.

The DIA is excited to bring this valuable program to our members and hope you will take advantage of this screening. Feel free to contact the Union if you have any questions or, alternatively, you may contact Heartscan Services directly at 1-866-518-1112. If you would like to schedule a screening for you or a family member, please call 1-866-518-1112 to reserve your 30-minute appointment.

"We want to thank DEA President Michael Palladino for bringing this valuable program to our attention so we, too, can offer it to our membership," said President John Fleming.



Legal Corner

What Should I Know About Line Of Duty Injuries

WORKERS' COMPENSATION VS. 207-C

What is the difference? If injured at work as a Detective Investigator, you are covered by New York State Workers' Compensation, and if injured in the performance of your duties, also by 207-C. Both cover you for medical treatment without the need for co-pays. If you are losing time from work, 207-C provides full salary payments, tax free while you are out. A portion of those monies are paid by Workers' Comp through the NYC Law Dept. ALL 207-C injuries are Workers' Comp, but NOT ALL Workers' Comp claims are 207-C.

Confused yet? There may be times when you are injured at work but not taking police action. Sometimes the City will argue you are just entitled to Comp. This is rare but can occur. **That is why all injuries occurring while at work should be filed as Workers' Compensation in addition to line-of-duty reporting.** Remember ALL 207-C injuries are Workers' Comp, but the reverse is not necessarily true.

What are the rules for reporting an accident or filing a claim? You must notify your employer within 30 days of an accident and then file a claim with the Workers' Compensation Board within two years. Do not forget to tell your health care provider or emergency room providers that you were injured while at work.

What are the benefit increases under the new Workers' Comp law for dates of accidents after March 13, 2007? All accidents or all dates of disablement for occupational illnesses occurring after July 1 of every year

may have a different rate. If you were injured between July 1, 2007 and July 1, 2008 your maximum rate will be \$500; July 1, 2008 and July 1, 2009, your maximum rate will be \$550 per week; July 1, 2009 and July 1, 2010, \$600; July 1, 2010 and July 1, 2011, \$739.83; and after July 1, 2011 \$772.96.

What if I worked prior for NYCPD or another agency that did not have Workers' Comp? Now as a DI, you are covered by Workers' Comp. Under Comp, you have the right to choose your own doctor, but you may not have the right to choose your own pharmacy or medical test location. The City Law Department can now contract with them and require you to use locations they decide they want you to use.

Do I have to lose time from work to bother filing a claim? ABSOLUTELY NOT! If you are injured at work and need to seek medical care of any kind, you must file a Workers' Comp claim! With certain injuries to extremities such as legs, arms or hands, you may be entitled to a tax-free cash award even if you have not lost a day from work, but not if you have not filed properly and timely.

What about medical treatment? Authorization is only needed for tests or treatment costing more than \$1,000. Many MRIs for example, now cost less than \$1,000, so in theory, you will not need to wait around for months before you have an MRI approved. Workers' Compensation provides many benefits and any questions regarding line-of-duty injuries should be asked immediately.

Workers' Compensation Laws are very complex. All too often, workers are misled or misunderstand the laws. Anyone injured on the job should immediately contact a professional for guidance on how to proceed with a claim. The law firm of Pasternack, Tilker, Ziegler, Walsh, Stanton & Romano LLC is here to help with all your Workers' Compensation claims. Call Jordan Ziegler, Esq. at 800.692.3717 if you think you are entitled to file a Workers' Compensation claim.

ABOUT OUR MEMBERS

FORMER DETECTIVE IS NEW DIA CHAPLAIN

Pastor Robert "Bob" Rainis is an ordained clergy-person in the Evangelical Lutheran Church in America, the largest Lutheran denomination in the U.S. with more than 4.5 million members. He serves as pastor of Epiphany Lutheran Church, located in the Norwood section of the Bronx. He served previously in the South Bronx at St Peter's Lutheran Church on 140th St. and a number of congregations in Queens and Long Island when he was a deacon.

Pastor Bob, as he is known in the community, received his theological training at the Lutheran Theological Seminary-Philadelphia, where he was awarded his Theological Diploma in Pastoral Theology.

Bob began his law enforcement career as a beat cop in the Anacostia section of Washington, D.C. in June 1978. In late 1980, he was appointed as a police officer with the Amtrak Railroad Police, serving as uniformed officer until being promoted to Sergeant in 1983. As a Supervisor, he worked in Patrol, Communications and Anti-Crime, and then as Executive Officer of the Criminal Investigation Division that covered Boston, MA to Philadelphia, PA.

In 1989, he was appointed a Special Investigator for the New York City Department of Investigation, and a year later became its first Assistant Chief Investigator. He was charged with the establishment and implementation of the first Citywide Field Associate Program. This network was established for the confidential gathering of information involving criminal activity within city agencies. During this time, he was a lead investigator in the David Dinkins pre-mayoral "stock transfer" investigation. Bob was the sole investigator charged with the investigation of a sitting NYPD Police Commissioner.

In 1991, he was appointed as a Senior Rackets Investigator in the Kings County District Attorney's Office, where he became one of the first two investigators to begin the Special Investigation Unit, along with former DIA President Al Lombardo. During his tenure with the KCDAO, Bob was

assigned to a number of units, including an Absconder Unit (DTAP), Major Narcotics-Money Laundering and even a two-year detail with the U.S. Secret Service.

It was during the assignment in the Narcotic-Money Laundering Unit and while acting pursuant to his duties that he sustained several injuries that forced his retirement from police work. He had served 25 years in law enforcement.

Bob was awarded the Police Combat Cross for actions taken pursuant to his duties and was as a result inducted into the Honor Legion, an organization in which very few non-NYPD are members.

Married to Barbara (Stein) since 1989, they are parents of Andrew (21), Lauren (18) and Zachary (14) and live in Deer Park, Long Island.

Pastor Bob is a Board Certified Clinical Healthcare chaplain as well as being certified as a Police Chaplain. Trained in Bereavement Counseling and Stress-Trauma related disciplines. Bob himself suffered a stroke as a result of job-related stress and was identified as having suffered from PTSD.

Having "walked the walk" Bob is in a unique position to offer pastoral care to all members of the DIA, both active and retired.

Chaplain Bob will work closely with the DIA member services. It is noted that as Chaplain and as a pastor, he is governed by the "Seal of the Confessional" as well as confidentiality secular laws in all matters in which he is understood to be acting in his pastoral role.

Bob can be contacted on his cell phone: 631-873-8555 and via confidential e-mail at pastorbobrainis@optonline.net

Chaplain Bob hopes to be introducing himself to members in each of the counties and SNP offices throughout the City. He would also like to meet with each DA in an effort to establish a productive and mutually respectful dialogue regarding matters of mutual concern.

IN MEMORIAM

Deputy Chief Thomas Jackson New York County District Attorney



Deputy Chief Thomas Jackson, a proud member of the Detective Investigators' Association (DIA), passed away on July 15, 2011, after a courageous battle with cancer.

Tom went from NYPD Patrolman to Detective, and after retirement, to Deputy Chief Investigator with the New York County District Attorneys' Office. During that time he raised a family and proudly served in the Army.

While in the NYPD, he received numerous awards for Excellent Police Work and bravery.

After his work on patrol, Tom was promoted to Detective. He worked many major risk-filled narcotics cases. Eventually, Tom was assigned to the Manhattan DA's squad, where he was asked to handle many sensitive investigations for former District Attorney Robert Morgenthau.

As Deputy Chief of the Investigations Bureau, Tom brought his experience and expertise to all cases. His knowledge of the criminal justice system was legendary. His door was always open whether you needed advice or just wanted to shoot the breeze. He was a mentor for many young Investigators who looked up to him for advice.

On November 22, 2011, a remembrance tribute was held at DANY to honor Tom. The Manhattan District Attorney, Cyrus Vance, Jr., along with past and present ADA's and Detective Investigators, shared their sentiments about Tom with the assemblage. A plaque was dedicated to Tom and is permanently affixed on the Wall of Honor in the Investigations Division. Rest in peace Chief Jackson. Thanks for everything!

Police Officer Peter J. Figoski: 75 Precinct



On Monday, December 12, 2011, at 2:30 in the morning, Police Officer Peter J. Figoski, assigned to the 75 Precinct, was rushed to Jamaica Hospital after being shot under the left eye. The bullet went through his neck and exited the back of his head. The 47-year old Officer died nearly five hours later.

Officer Figoski and his partner, Police Officer Glenn Estrada, were handling a radio run to 25 Pine Street in the Cypress Hills section of Brooklyn after 9-1-1 reported a robbery in progress in the basement apartment of the building. Officers Figoski and Estrada were a back-up team to other Officers who were questioning the victim in the apartment. Unbeknownst to anyone, some of the perps were still in the building and as one of them tried to flee, he surprised Figoski, who was on the stairwell between the front door and the

basement, by pulling a semi-automatic handgun and shooting Figoski.

Outside on the street, Figoski's partner was wrestling with another suspect when he heard the shot and saw the armed perp run. He let go of the accomplice and chased the shooter, 27-year-old Lamont Pride, for several blocks before catching him.

Figoski's funeral was one of the largest police memorials in collective memory, with an estimated 20,000 people in attendance, most of them officers in dress uniform, many who came from jurisdictions outside New York City and some from far across the nation. A few days after the burial, Figoski was posthumously promoted to first grade Detective. On Friday, December 23, 2011, Figoski's partner, Officer Glenn Estrada, was promoted to third grade Detective.

Officer Figoski's four daughters were living with their father at the time of the shooting. The New York Post and the New York City Police Foundation established a scholarship fund for Figoski's four daughters and within two weeks raised over \$1.3 million for their educational needs.

COLD CASE

The following article is reprinted
from City Hall & Capitol
Newspaper, October 17, 2011

Two city agencies sue each other to avoid contract talks

Contract negotiations between the city and municipal unions are often drawn-out affairs that descend into legal battles, arbitration and declarations of impasse. But for the detective investigators who work in city prosecutors' offices, it hasn't even gotten that far. After 40 years of bargaining with them, the city is claiming it doesn't even employ them.

About 300 detective investigators work for the city's six district attorneys — one each in the five boroughs, plus the special narcotics prosecutor — and until recently bargained with the city's Office of Labor Relations like most other municipal workers.

But Mayor Michael Bloomberg's office is now spending thousands of dollars in legal fees to back up its assertion that investigators are hired and fired by their DA bosses and should be negotiating with them, citing a change in civil-service law as reason for the turnaround.

The DA's offices, in turn, have hired outside counsel for the legal battle, which will be settled by the Office of Collective Bargaining in the coming months.

Detective Investigators' Association President John Fleming said both sides are trying to shirk their responsibilities — and sticking taxpayers with the bill. He wants 4 percent raises in each of the next two years, saying all other DA employees got similar raises in 2010.

"They are trying to avoid negotiations with motion after motion," Fleming said. "We're always ready to sit down and do what's right. But there have been no negotiations."

When the union sought to declare an impasse and take the matter to a Public Employment Relations Board proceeding, Labor Relations Commissioner James Hanley said the city couldn't be involved because it doesn't employ the investigators. That set off a legal battle that required the services of two outside firms: Proskauer Rose (representing the mayor's office) and Jackson Lewis (representing the DA's offices, and led by the Queens DA).

New York City has paid Proskauer Rose \$726,502 for its services as of January, while Jackson Lewis has received \$103,272, but neither side would say how much of that was spent on the detective investigators' case.

Queens DA spokesman Kevin Ryan said the city's Law Department handled the procurement process for them: "That was the city's decision when the OLR walked away and refused to have their own attorney...continue to represent the DAs."

Ryan said the fault lay with OLR for denying it employs the investigators, "despite the fact that the city issues and signs their paychecks, provides benefits, and handles a host of other employment issues for the detectives and other district-attorney employees."

He insisted the DA's office was not avoiding negotiations by fighting the city's claim.

"There can be no meaningful negotiations without both the city and the district attorney offices at the table," Ryan said. "The city is a joint employer.... The city alone holds the purse strings and is the ultimate funding source for any financial package the detective investigators seek."

City Hall spokesman Marc LaVorgna said OLR had voluntarily bargained

with detective investigators on behalf of the district attorneys in the past, until the Legislature took detective investigators from city bargaining laws and put them under state laws.

With the union seeking the same negotiating pattern as the city's other uniformed services, LaVorgna said, "the city has decided that it no longer wishes to be the bargaining representative for the District Attorney's offices."

Fleming, for one, isn't buying it, saying neither side ever tried to negotiate with his union in good faith.

"We don't care who it is," he said, "as long as they have the authority."

**"WE DON'T
CARE WHO IT
IS, AS LONG AS
THEY HAVE THE
AUTHORITY."**

IN MEMORIAM

Detective Investigator Jose M. Martinez, Sr. Bronx County District Attorney

Detective Investigator Jose M. Martinez, Sr. died October 31, 2011, after complications from a long-term illness. Born July 20, 1939, in Santurce, Puerto Rico, he and his family moved to Georgia when Jose was 13 years old. His parents, United States Army LT Colonel Manuel H. and Ana Maria Martinez, later moved their family to New York.

Jose graduated from Ft. Hamilton High School in 1958 where he played football, baseball, basketball and other sports. He also played semi pro football on Long Island during the early 1970s. He attended Wagner College for a year and then went to work for several different companies, trying to find his way in the world. In the early 1960s, he found a career with Trans Caribbean Airlines as a Ticket Agent where he worked for several years. He met his wife Margaret Reinhardt in 1965 at Kenney Airport where they both worked. They married in 1966. They lived in Jamaica, Queens until they moved to Lindenhurst, Long Island in 1972 where they raised their family and currently resided.

Jose continued his studies and received a Bachelor's Degree in Criminal Justice from Adelphi University in 1982. In 1985, he joined the Bronx District Attorney's Office as a Detective Investigator. He left the DA's office in the late 1980s, but rejoined in 1990. He had finally found his life's career with the Bronx DA's office. He loved the prestige of being a Bronx Detective Investigator — a job he had until he retired in October 2011.

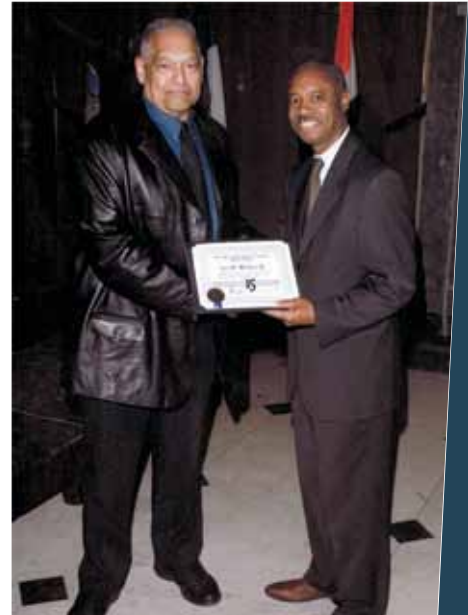
Jose leaves behind his wife of 45 years, Margaret E. Reinhardt, three children: Jose Martinez, Jr. (wife Dawn), Michael Martinez (wife Susan) and Michelle Gonzalez, six grandchildren: Analicia and Derik Gonzalez, and Mikaele, Milan, Mia and Mikenzie Martinez; and three siblings: Carlos and Carmen Ana Martinez and Carmen Maria Fahn.

He was a sports fan and loved to watch the NY Giants, Yankees and any soccer team. He coached youth football (even though his sons never played) and coached soccer (which his sons played) for many years on Long Island. He loved to hunt, fish and dance. He also had a great love and compassion for any animal, especially dogs.

Another one of his passions was working with children and for many years participated in career days at public schools on Long Island and in The Bronx. He taught sportsman education for the state Department of Environmental Conservation and was a Master Bow and Rifle Instructor. Jose also had a part time job doing security at Radio City Music Hall and for years did the security for the Tony Awards and Night of 100 Stars. Although he worked two jobs for many years, he always found time for his family and friends. Jose will be missed by his family, friends and coworkers.

"Throughout his career, Det. Martinez served as a role model for many of the younger Detectives who came on the job after him, routinely taking them under his wing to teach them the ropes of law enforcement," said DIA President John Fleming. "He was a great Detective Investigator, a superior role model, and a good friend to all. His death is a great loss to us all."

Pictured above, Det. Martinez at his promotional ceremony with DA Robert Johnson.





5th Annual DIA Awards Ceremony





DIA HOLDS 5TH ANNUAL AWARD CEREMONY

The Detective Investigators' Association held its annual awards ceremony on Friday, November 18th at Battery Gardens in Manhattan. The ceremony recognizes the outstanding contributions made to the cause of law enforcement by the Detective Investigators who work for the five District Attorneys' and Special Narcotics Prosecutor.

Every year the union recognizes one member of the law enforcement community who has displayed a level of

excellence both on and off the job. The Fred Ghussin Memorial Award is named after a Detective who worked in the Manhattan DA's office and died in the line of duty as a result of illness and injuries sustained while working with federal authorities during 9-11. In addition, the DIA also recognizes those individual Detective Investigators or groups of DIs whose diligence in pursuing justice has led to the successful completion of cases.

"Our members deserve to be honored for their contributions to the law enforcement community," said President John Fleming. "Each year we sort through all the submissions and choose those cases that best highlight the work our members do on a daily basis."



1. Supervising Trustee Doris Amador, Chief Frank Chiara, Detective's Frank Brumfield and Floyd Coor, and Lieutenant Frank Thorp
2. Anthony Franzolin, Jr. (son of Det. Franzolin), Vice President Anthony Franzolin, Retired Kings County Detective Steven Bondor and Kings County Detective Joseph Farrell
3. Bronx County Detectives Stephanie Collier, John Maccia and John McGrath
4. President John Fleming, Special Narcotics Detective Rudy Stevens, NYS Dept. of Health Investigator Brendan Valley, Detective John Miller, and ADA Ryan Sakacs
5. Special Narcotics Detective John Miller
6. Queens County Trustee Ron Hickman
7. President Fleming, Bronx County Detective Anthony Rambazis with his son
8. NY County Detective Gregory Dunlavey receiving his award from President Fleming
9. New York County Detective Terrance Hayes
10. Special Narcotics Prosecutor Bridget Brennan, Host of 2011 awards
11. NY County Detective Jonathan Reid

HONOREES

FRED GHUSSIN MEMORIAL AWARD

Anthony Franzolin
Supervising Detective Investigator
DIA Vice President

MAN OF THE YEAR AWARD

NYS Senator Martin Golden

COMMENDATIONS

Sr. Inv. Joseph Hall
Sr. Inv. Buddy LaSala
Sr. Inv. John Miller
Special Narcotics

Det. Inv. Terrence McTigue
Supv. Det. Inv. Phil O'Rourke
Det. Inv. Glenn Kenny
Kings County District Attorney

Det. Inv. Gregory Dunlavy
Det. Inv. Jonathan Reid
Det. Inv. Terry Hayes
New York County District Attorney

Sr. Inv. Anthony Rambazis
Sr. Inv. John McGrath
Sr. Inv. John Maccia
Det. Inv. Stephanie Collier
Bronx County District Attorney

UNIT CITATIONS

Bronx County District Attorney
Crimes Against Revenue Programs
Sr. Inv. Frank Brumfield,
Team Leader
Sr. Inv. Floyd Coor
Sr. Inv. Bradford Waterman
Sr. Inv. Richard Quelch
Det. Inv. Alfredo Nunez
Det. Inv. Nicholas Ranieri

New York County District Attorney
Special Investigations Group
Sr. Det. Inv. Santiago Batista
Sr. Inv. Gerald Bergold
Det. Inv. David Lee
Det. Inv. Jason Malone
Det. Criminal Inv. Thomas A. Jackson

Queens County District Attorney
Computer and Advanced Technology
Crimes Unit

Sgt. John Kenna
Det. Inv. Patrick Dolan
Det. Inv. Jerome Pugh
Det. Inv. Richard Lewis

CERTIFICATES OF APPRECIATION

Brendan Vallely
Criminal Investigator
NYS Dept. of Health

Ryan Sakacs
ADA, Special Narcotics

Andrew Myerberg
Special Federal Litigation Division
Corp. Counsel

Michael Ohm
Michael Greenman
ADA, NY County District Attorney
Caroline Justice
Nick Lewis
Dyer Halpern
Graham Van Epps
ADAs
William Zelenka
Supv. ADA
Bronx County District Attorney

Rod Khattabi
SA, ICE
Bronx County District Attorney





12. President Fleming, NY County Detective Terry Hayes, Vice President Anthony Franzolin (2011 Fred Ghussin Memorial award recipient).
13. Kings County Detectives Terrance McTigue and Phillip O'Rourke
14. M.C. Mike Sheehan
15. DI Glenn Kenny, Kings County DA
16. Linda Angueiro, Executive Assistant to DA Robert Johnson, with friend
17. Bronx Detective John Maccia, with his family
18. DIA Trustees Juan Crosas Medina, Doris Amador, and Jim Diver
19. DIA Secretary-Treasurer Jack Freck
20. Mary Barnett (widow of deputy Chief Thomas Jackson), Fleming, NY County Detectives Santiago Batista, Gerald Bergold, David Lee
21. DI Rambazis and his family
22. Vice President Anthony Franzolin and Kings County Deputy Chief Jerry Zino
23. Mary Barnett and family
24. Queens County Sgt. John Kenna, Fleming, Detectives Richard Lewis and Patrick Dolan
25. Special Narcotics Chief Investigator Leon Schwartzman and Deputy Chief Bill Cook
26. Fleming and Kings County Detective Glenn Kenny
27. Supervising Trustee Doris Amador, Bronx Trustee Juan Crosas Medina, NY County Trustee Thomas Artino, Secretary Treasurer John Freck, SNP Bridget Brennan, DIA President Fleming, Bronx District Attorney Robert Johnson



2012 MEMBERSHIP CARDS

2012 Membership Cards are included with the newsletter for Retirees. Active members already received theirs. Any Active member who did not receive one should contact their Trustee. Retirees who do not get one with their newsletter should contact President John Fleming.



Retiree News

By Nick Vessio, Retiree Delegate



I sincerely hope that all retired members of the NYCDIA had a wonderful and healthy holiday season. President John Fleming and I have discussed the importance of having our retired members actively involved in our union. I am personally concerned for each and every one of you and as I have previously stated in my past writings, I am available to assist you if you need me. My e-mail address is: nick0124@verizon.net

I am currently updating the NYCDIA's data base for our retired members. Please provide me with your full name, address (including any secondary address), telephone numbers (home/work/cell) and your e-mail address. You can e-mail me the information. We are planning a union get-together for this spring or early summer and we would like you to be there. We are working on final plans and will post it on our website. We would like input from both active and retired members.

Until then I wish all of you good health and happiness.

Detective Investigators' Association
District Attorneys' Offices — City of New York
PO Box 130405 • New York, NY 10013



First Class Mail
U.S. Postage
PAID
Albany, NY
Permit #370